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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

PREETI MUDALIAR,

Plaintiffs,

v.

UNITED RECOVERY GROUP, INC., URG,
LLC, SRL & ASSOCIATES, INC., COOK,
SKEEN & ROBINSON, LLC, JEREMIAH
DURFEE, JOHN DURFEE, KIM
ARMISTEAD, SHAWN ROBINSON, &
RANDALL SKEEN

Defendants.

COMPLAINT

Case No: 2:12-cv-00778-PMW

JURY TRIAL DEMANDED

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA").

II. JURISDICTION

2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d), and therefore involves a "federal question" pursuant to 28 USC § 1331.

III. PARTIES

3. Plaintiff, Preeti Mudaliar (“Plaintiff”), is a natural person residing in Salt Lake County, Utah.

4. Defendant, United Recovery Group, Inc., (“Defendant United”) is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant United regularly attempts to collect debts alleged due another.

5. Defendant, URG, LLC, (“Defendant URG”) is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant URG regularly attempts to collect debts alleged due another.

6. Defendant, SRL & Associates, Inc., (“Defendant SRL”) is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant SRL regularly attempts to collect debts alleged due another.

7. Defendant COOK, SKEEN & ROBINSON, LLC, (“Defendant CSR”), is a limited liability company engaged in the business of collecting debts by use of the mails and telephone. Defendant CSR regularly attempts to collect debts alleged due another.

8. Defendant JEREMIAH DURFEE is an individual who has an ownership interest in and is directly involved with the day-to-day business of one or more of the business entities listed as Defendants in this matter. Mr. Jeremiah Durfee sanctioned or ordered the behavior of the representatives of the corporate Defendants in this matter.

9. Defendant JOHN DURFEE is an individual who has an ownership interest in and is directly involved with the day-to-day business of each of the business entities listed as Defendants in this matter. Mr. John Durfee sanctioned or ordered the behavior of the

representatives of the corporate Defendants in this matter.

10. Defendant KIM ARMISTEAD is an individual who has an ownership interest in and is directly involved with the day-to-day business of each of the business entities listed as Defendants in this matter. Ms. Armistead sanctioned or ordered the behavior of the representatives of the corporate Defendants in this matter.

11. Defendant SEAN ROBINSON is an individual affiliated with the co-defendant law firm of COOK, SKEEN & ROBINSON, LLC. Mr. Robinson is aware of the actions of unregistered and unlicensed entity SRL & Associates and holds himself out to be an attorney affiliated with that agency. Mr. Robinson sanctioned, authorized, or ordered the activities alleged by the Defendants in these matters.

12. Defendant RANDALL SKEEN is an individual affiliated with the co-defendant law firm of COOK, SKEEN & ROBINSON, LLC. Mr. Skeen is aware of the actions of unregistered and unlicensed entity SRL & Associates and holds himself out to be an attorney affiliated with that agency. Mr. Skeen sanctioned, authorized, or ordered the activities alleged by the Defendants in these matters.

IV. FACTUAL ALLEGATIONS

13. Defendants are each a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

14. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

15. All activities of Defendants set out herein were undertaken in connection with the collection of a “debt,” as defined by 15 USC § 1692a(5).

16. Within the last year, Defendants took multiple actions in an attempt to collect a

debt from Plaintiff. Defendant's conduct violated the FDCPA in multiple ways, including the following.

17. In connection with collection of a debt, using language the natural consequence of which was to abuse Plaintiff. Plaintiff does not owe the debt that Defendants were collecting, but was acting as a liaison between her mother, Amirda Mudaliar (spelled Mudallar by SRL & Associates). While discussing Ms. Mudaliar's debt with Plaintiff, Defendant, who was holding itself out to be SRL & Associates, an unlicensed and unregistered entity affiliated with each of the other co-defendants, made inappropriate comments directed at Plaintiff's ethnicity, including but not limited to questioning whether Preeti or her mother are legal residents of the United States. Such comments were based entirely on Plaintiff's foreign-sounding name and were greatly offensive to Plaintiff, who is a United States citizen. Defendant also told Plaintiff that she "lacked integrity" and accused her of trying to "rip off" medical professionals who are allegedly owed money (§ 1692d(2)).

18. As a result of the aforementioned violations, Plaintiff suffered and continues to suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

19. Defendants intended to cause, by means of the actions detailed above, injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

20. Defendants' actions, detailed above, were undertaken with extraordinary disregard of, or indifference to, known or highly probable risks to purported debtors.

21. To the extent Defendants' actions, detailed in paragraphs above, were carried out

by an employee of Defendants, that employee was acting within the scope of his or her employment.

COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT

22. Plaintiff reincorporates by reference all of the preceding paragraphs.
23. The preceding paragraphs state a *prima facie* case for Plaintiff and against Defendant for violations of the FDCPA, § 1692d.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered jointly and severally against each Defendant for the following:

- A. Declaratory judgment that Defendants' conduct violated the FDCPA;
- B. Actual damages pursuant to 15 USC 1692k;
- C. Statutory damages pursuant to 15 U.S.C. § 1692k;
- D. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1692k; and,
- E. For such other and further relief as may be just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

Dated this 8th day of August, 2012.

TRIGSTED LAW GROUP, P.C.

s/Joshua Trigsted
Joshua Trigsted
Attorney for the Plaintiff